

特許協力条約

PCT

国際予備審査報告

(法第12条、法施行規則第56条)
[PCT36条及びPCT規則70]

REC'D 23 NOV 2001

WIIPO

出願人又は代理人 の書類記号 PH-1034-PCT	今後の手続きについては、国際予備審査報告の送付通知（様式PCT/IPEA/416）を参照すること。	
国際出願番号 PCT/JP00/05474	国際出願日 (日.月.年) 16.08.00	優先日 (日.月.年) 19.08.99
国際特許分類 (IPC) Int.Cl' C12N1/19, C12P21/02// (C12N1/19, C12R1:865), (C12P21/02, C12R1:865)		
出願人（氏名又は名称） 麒麟麦酒株式会社		

1. 国際予備審査機関が作成したこの国際予備審査報告を法施行規則第57条（PCT36条）の規定に従い送付する。

2. この国際予備審査報告は、この表紙を含めて全部で 3 ページからなる。

この国際予備審査報告には、附属書類、つまり補正されて、この報告の基礎とされた及び／又はこの国際予備審査機関に対して訂正を含む明細書、請求の範囲及び／又は図面も添付されている。
(PCT規則70.16及びPCT実施細則第607号参照)
この附属書類は、全部で _____ ページである。

3. この国際予備審査報告は、次の内容を含む。

- I 国際予備審査報告の基礎
- II 優先権
- III 新規性、進歩性又は産業上の利用可能性についての国際予備審査報告の不作成
- IV 発明の単一性の欠如
- V PCT35条(2)に規定する新規性、進歩性又は産業上の利用可能性についての見解、それを裏付けるための文献及び説明
- VI ある種の引用文献
- VII 国際出願の不備
- VIII 国際出願に対する意見

国際予備審査の請求書を受理した日 16.02.01	国際予備審査報告を作成した日 08.11.01
名称及びあて先 日本国特許庁 (IPEA/JP) 郵便番号100-8915 東京都千代田区霞が関三丁目4番3号	特許庁審査官（権限のある職員） 深草 亜子 電話番号 03-3581-1101 内線 3448

I. 国際予備審査報告の基礎

1. この国際予備審査報告は下記の出願書類に基づいて作成された。(法第6条(PCT14条)の規定に基づく命令に応答するために提出された差し替え用紙は、この報告書において「出願時」とし、本報告書には添付しない。PCT規則70.16, 70.17)

出願時の国際出願書類

明細書 第 _____ ページ、
明細書 第 _____ ページ、
明細書 第 _____ ページ、
出願時に提出されたもの
国際予備審査の請求書と共に提出されたもの
付の書簡と共に提出されたもの

請求の範囲 第 _____ 項、
請求の範囲 第 _____ 項、
請求の範囲 第 _____ 項、
請求の範囲 第 _____ 項、
出願時に提出されたもの
PCT19条の規定に基づき補正されたもの
国際予備審査の請求書と共に提出されたもの
付の書簡と共に提出されたもの

図面 第 _____ ページ/図、
図面 第 _____ ページ/図、
図面 第 _____ ページ/図、
出願時に提出されたもの
国際予備審査の請求書と共に提出されたもの
付の書簡と共に提出されたもの

明細書の配列表の部分 第 _____ ページ、
明細書の配列表の部分 第 _____ ページ、
明細書の配列表の部分 第 _____ ページ、
出願時に提出されたもの
国際予備審査の請求書と共に提出されたもの
付の書簡と共に提出されたもの

2. 上記の出願書類の言語は、下記に示す場合を除くほか、この国際出願の言語である。

上記の書類は、下記の言語である _____ 語である。

- 国際調査のために提出されたPCT規則23.1(b)にいう翻訳文の言語
 PCT規則48.3(b)にいう国際公開の言語
 国際予備審査のために提出されたPCT規則55.2または55.3にいう翻訳文の言語

3. この国際出願は、ヌクレオチド又はアミノ酸配列を含んでおり、次の配列表に基づき国際予備審査報告を行った。

- この国際出願に含まれる書面による配列表
 この国際出願と共に提出されたフレキシブルディスクによる配列表
 出願後に、この国際予備審査(または調査)機関に提出された書面による配列表
 出願後に、この国際予備審査(または調査)機関に提出されたフレキシブルディスクによる配列表
 出願後に提出した書面による配列表が出願時における国際出願の開示の範囲を超える事項を含まない旨の陳述書の提出があった
 書面による配列表に記載した配列とフレキシブルディスクによる配列表に記録した配列が同一である旨の陳述書の提出があった。

4. 補正により、下記の書類が削除された。

- 明細書 第 _____ ページ
 請求の範囲 第 _____ 項
 図面 図面の第 _____ ページ/図

5. この国際予備審査報告は、補充欄に示したように、補正が出願時における開示の範囲を越えてされたものと認められるので、その補正がされなかったものとして作成した。(PCT規則70.2(c) この補正を含む差し替え用紙は上記1.における判断の際に考慮しなければならず、本報告に添付する。)

V. 新規性、進歩性又は産業上の利用可能性についての法第12条（PCT35条(2)）に定める見解、それを裏付ける文献及び説明

1. 見解

新規性 (N)

請求の範囲 1-30 有
請求の範囲 _____ 無

進歩性 (I S)

請求の範囲 1-30 有
請求の範囲 _____ 無

産業上の利用可能性 (I A)

請求の範囲 1-30 有
請求の範囲 _____ 無

2. 文献及び説明 (PCT規則70.7)

請求の範囲 1-30 に係る発明は、国際調査報告で引用された何れの文献にも記載されておらず、かつ当業者にとって自明なものでもない。

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION
(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner
US Department of Commerce
United States Patent and Trademark
Office, PCT
2011 South Clark Place Room
CP2/5C24
Arlington, VA 22202
ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing (day/month/year) 27 April 2001 (27.04.01)
International application No. PCT/JP00/05474
International filing date (day/month/year) 16 August 2000 (16.08.00)
Applicant CHIBA, Yasunori et al

Applicant's or agent's file reference
PH-1034-PCT

Priority date (day/month/year)
19 August 1999 (19.08.99)

1. The designated Office is hereby notified of its election made:

in the demand filed with the International Preliminary Examining Authority on:

16 February 2001 (16.02.01)

in a notice effecting later election filed with the International Bureau on:

2. The election was

was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Antonia Muller
Facsimile No.: (41-22) 740.14.35	Telephone No.: (41-22) 338.83.38

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF THE RECORDING
OF A CHANGE(PCT Rule 92bis.1 and
Administrative Instructions, Section 422)

Date of mailing (day/month/year)

21 January 2002 (21.01.02)

From the INTERNATIONAL BUREAU

To:

HIRAKI, Yusuke
 Toranomon No. 5 Mori Building
 Third Floor, 17-1, Toranomon 1-chome
 Minato-ku, Tokyo 105-0001
 JAPON

Applicant's or agent's file reference

PH-1034-PCT

IMPORTANT NOTIFICATION

International application No.

PCT/JP00/05474

International filing date (day/month/year)

16 August 2000 (16.08.00)

1. The following indications appeared on record concerning:

the applicant the inventor the agent the common representative

Name and Address

JAPAN as represented by SECRETARY
 OF AGENCY OF INDUSTRIAL SCIENCE
 AND TECHNOLOGY
 3-1, Kasumigaseki 1-chome
 Chiyoda-ku, Tokyo 100-8921
 Japan

State of Nationality

JP

State of Residence

JP

Telephone No.

Facsimile No.

Teleprinter No.

2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:

the person the name the address the nationality the residence

Name and Address

NATIONAL INSTITUTE OF ADVANCED
 INDUSTRIAL SCIENCE AND TECHNOLOGY
 3-1, Kasumigaseki 1-chome
 Chiyoda-ku
 Tokyo 100-8921
 Japan

State of Nationality

JP

State of Residence

JP

Telephone No.

Facsimile No.

Teleprinter No.

3. Further observations, if necessary:

4. A copy of this notification has been sent to:

<input checked="" type="checkbox"/> the receiving Office	<input type="checkbox"/> the designated Offices concerned
<input type="checkbox"/> the International Searching Authority	<input checked="" type="checkbox"/> the elected Offices concerned
<input checked="" type="checkbox"/> the International Preliminary Examining Authority	<input type="checkbox"/> other:

The International Bureau of WIPO
 34, chemin des Colombettes
 1211 Geneva 20, Switzerland

Authorized officer

Susumu KUBO

Facsimile No.: (41-22) 740.14.35

Telephone No.: (41-22) 338.83.38

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PH-1034-PCT	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/JP00/05474	International filing date (day/month/year) 16 August 2000 (16.08.00)	Priority date (day/month/year) 19 August 1999 (19.08.99)
International Patent Classification (IPC) or national classification and IPC C12N 1/19, C12P 21/02// (C12N 1/19, C12R1 : 865), (C12P21/02, C12R1 : 865)		
Applicant KIRIN BEER KABUSHIKI KAISHA		

<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>3</u> sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of _____ sheets.</p>
<p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application

Date of submission of the demand 16 February 2001 (16.02.01)	Date of completion of this report 08 November 2001 (08.11.2001)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

I. Basis of the report

1. With regard to the elements of the international application:*

- the international application as originally filed
 the description:

pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

- the claims:
 pages _____, as originally filed
 pages _____, as amended (together with any statement under Article 19)
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

- the drawings:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

- the sequence listing part of the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.
 These elements were available or furnished to this Authority in the following language _____ which is:

- the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
 the language of publication of the international application (under Rule 48.3(b)).
 the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- contained in the international application in written form.
 filed together with the international application in computer readable form.
 furnished subsequently to this Authority in written form.
 furnished subsequently to this Authority in computer readable form.
 The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
 The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- the description, pages _____
 the claims, Nos. _____
 the drawings, sheets/fig. _____

5. This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP 00/05474

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-30	YES
	Claims		NO
Inventive step (IS)	Claims	1-30	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-30	YES
	Claims		NO

2. Citations and explanations

The inventions set forth in Claims 1-30 are not disclosed in any of the documents cited in the international search report, and are not obvious to a person skilled in the art.

(Translation)

INTERNATIONAL FORM

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT

issued pursuant to Rule 7.1 by the
INTERNATIONAL DEPOSITORY AUTHORITY
identified at the bottom of this page.

TO DEPOSITOR:

Name: KIRIN BEER KABUSHIKI KAISHA
President: Yasuhiro SATO, et al.
Address: 10-1, Shinkawa 2-chome, Chuo-ku, Tokyo 104-8288Japan

I. IDENTIFICATION OF MICROORGANISM	
Identification Reference Given by the Depositor: YS 134-4A	Accession Number: FERM BP- 6801
II . A SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC POSITION	
The microorganism identified under I above was accompanied by a document stating the following item(s). <input checked="" type="checkbox"/> A Scientific Property <input checked="" type="checkbox"/> Taxonomic Position	
III. RECEIPT AND ACCEPTANCE	
This International Depositary Authority accepts the microorganism identified under I above, which was received on July 27, 1999. (date of the original deposit)	
IV. RECEIPT OF REQUEST FOR TRANSFER	
This International Depositary Authority received the microorganism under I above on (date of the original deposit), and received on , a request for transfer from the original deposit to the deposit under the Budapest treaty.	
V. INTERNATIONAL DEPOSITORY AUTHORITY	
Name: National Institute of Bioscience and Human-Technology Agency of Industrial Science and Technology	
Representative: <u>Shinichi OHASHI</u> (sealed) Dr. Shinichi OHASHI Director-General	
Address: 1-3, Higashi 1-Chome, Tsukuba-shi, Ibaraki-ken 305-8566 Japan	
Date: July 27, 1999	



[特許手続上の微生物の寄託の国際的承認
に関するブダペスト条約]

下記国際寄託当局によって規則 7. 1 に従い
発行される。

原寄託についての受託証

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT

issued pursuant to Rule 7.1 by the INTERNATIONAL DEPOSITORY AUTHORITY identified at the bottom of this page.

氏名（名称） 麒麟麦酒株式会社
寄託者 代表取締役社長 佐藤 安弘 他1名
あて名 〒 殿
東京都中央区新川二丁目10番1号

1. 微生物の表示

(寄託者が付した識別のための表示)
YS 134-4A

(受託番号)
FERM BP- 6801

2. 科学的性質及び分類学上の位置

1 梱の微生物には、次の事項を記載した文書が添付されていた。

- 科学的性質
- 分類学上の位置

3. 受領及び受託

本国際寄託当局は、平成 11 年 7 月 27 日（原寄託日）に受領した1 梱の微生物を受託する。

4. 移管請求の受領

本国際寄託当局は、 年 月 日（原寄託日）に1 梱の微生物を受領した。
そして、 年 月 日に原寄託よりブダペスト条約に基づく寄託への移管請求を受領した。

5. 国際寄託当局

通商産業省工業技術院生命工学工業技術研究所

名 称： National Institute of Bioscience and Human-Technology
Agency of Industrial Science and Technology

所 長 大曾 信一

Dr. Shigenori Ogasawara Director-General

あて名： 日本国茨城県つくば市東1丁目1番3号（郵便番号305-8566）
1-3, Higashi 1 chome Tsukuba-shi Ibaraki-ken
305-8566, JAPAN

平成11年(1999) 7月27日



European Patent
Office

**SUPPLEMENTARY
PARTIAL EUROPEAN SEARCH REPORT**

Application Number

which under Rule 45 of the European Patent Convention
shall be considered, for the purposes of subsequent
proceedings, as the European search report

EP 00 95 3436

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
X ①	MISAGO M ET AL: "Molecular cloning and expression of cDNAs encoding human alpha-mannosidase II and a previously unrecognized alpha-mannosidase IIx isozyme" PROC. NATL. ACAD. SCI. USA, vol. 92, - December 1995 (1995-12) pages 11766-11770, XP002239755 * the whole document *	29, 30	C12N1/19 C12P21/02 C12N9/24 C12P19/18 C12P21/00 C12R1/865 //C12N1:19, C12R1:865, C12P21:02, C12R1:865
The supplementary search report has been based on the last set of claims valid and available at the start of the search.			
INCOMPLETE SEARCH The Search Division considers that the present application, or some or all of its claims, does/do not comply with the EPC to such an extent that a meaningful search into the state of the art cannot be carried out, or can only be carried out partially, for the following claims: Claims searched completely : Claims searched incompletely : Claims not searched : Reason for the limitation of the search: see sheet C			
4	Place of search MUNICH	Date of completion of the search 29 April 2003	Examiner Stoyanov, B
CATEGORY OF CITED DOCUMENTS X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document			
T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons & : member of the same patent family, corresponding document			